

**Introduced by Senator Denham
(Coauthor: Senator Cogdill)**

(Coauthors: Assembly Members Bill Berryhill, Tom Berryhill, and Galgiani)

February 19, 2010

An act to amend Section 15202 of the Government Code, relating to counties.

LEGISLATIVE COUNSEL'S DIGEST

SB 1356, as introduced, Denham. Counties: homicide trials: reimbursement.

Existing law authorizes a county that is responsible for the cost of a trial or trials or any hearing of a person for the offense of homicide to apply to the Controller for reimbursement of a portion of the costs incurred by the county in excess of the amount of money derived by the county from a tax of 0.0125 of 1% of the full value of property assessed for purposes of taxation within the county.

This bill would authorize a county, when the victim of the homicide was a state or local law enforcement officer, to apply to the Controller for a complete reimbursement of the costs incurred by the county, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 15202 of the Government Code is
- 2 amended to read:

1 15202. (a) ~~A~~ Except as provided in subdivision (c), a county
 2 that is responsible for the cost of a trial or trials or any hearing of
 3 a person for the offense of homicide may apply to the Controller
 4 for reimbursement of the costs incurred by the county in excess
 5 of the amount of money derived by the county from a tax of 0.0125
 6 of 1 percent of the full value of property assessed for purposes of
 7 taxation within the county.

8 (b) ~~The~~ For purposes of subdivision (a), the formula in this
 9 section shall apply to any homicide trial in which the commission
 10 of the crime occurred on or after January 1, 2005. Homicide trials
 11 for which the crime was committed before January 1, 2005, shall
 12 qualify under the reimbursement statute in effect before that date.

13 (c) Notwithstanding subdivisions (a) and (b), a county that is
 14 responsible for the cost of a trial or trials or any hearing of a
 15 person for the offense of homicide may apply to the Controller for
 16 a complete reimbursement of the costs incurred by the county if
 17 the victim of the homicide was a state or local law enforcement
 18 officer.

19 ~~(e)~~

20 (d) The Controller shall not reimburse any county for costs that
 21 exceed the California Victim Compensation and Government
 22 Claims Board’s standards for travel and per diem expenses. The
 23 Controller may reimburse extraordinary costs in unusual cases if
 24 the county provides sufficient justification of the need for these
 25 expenditures. Nothing in this section shall permit the
 26 reimbursement of costs for travel in excess of 1,000 miles on any
 27 single round trip, without the prior approval of the Attorney
 28 General.

29 ~~(d)~~

30 (e) Reimbursement funds appropriated pursuant to this section
 31 are available for three fiscal years from the date of the
 32 appropriation. After three fiscal years, any unused funds shall
 33 revert back to the General Fund.